



Planning Commission Agenda

Meeting of December 5, 2016
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950



The Planning Commission requests that all cellphones, pagers, and/or smart devices be turned off during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Welcome to the Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

Roll Call

Pledge of Allegiance by Commissioner Bush

Approval of Minutes

1. Approval of Minutes from the Meeting of November 7, 2016

Approval of Agenda

2. Approval of Agenda for the Meeting on December 5, 2016

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.

PRESENTATIONS

CONTINUED PUBLIC HEARINGS

PUBLIC HEARINGS

3. Conditional Use Permit for alcohol sales at a new sushi restaurant to be located at 2220 East Plaza Boulevard, Suite C & D (Case File No.: 2016-26 CUP)

4. Resolution 2016-17 taking action on a Conditional Use Permit for alcohol sales at a new sushi restaurant to be located at 2220 East Plaza Boulevard, Suite C & D (Case File No.: 2016-26 CUP)
5. Tentative Parcel Map for the creation of four lots at 1821-1827 "C" Avenue with and exception for less than required lot frontage (Case File No.: 2016-29 LS)
6. Resolution 2016-18 taking action on a Tentative Parcel Map for the creation of four lots at 1821-1827 "C" Avenue with and exception for less than required lot frontage (Case File No.: 2016-29 LS)

OTHER BUSINESS

7. Conditional Certificate of Compliance for a Lot Line Adjustment at property located at 1918-1930 Cleveland Avenue (Case File No.: 2016-25 CC)
8. Resolution 2016-19 taking action on a Conditional Certificate of Compliance for a Lot Line Adjustment at property located at 1918-1930 Cleveland Avenue (Case File No.: 2016-25 CC)
9. Time extension request for a Tentative Parcel Map for the division of one 27,888 square-foot lot into two lots, with an exception for less than required street frontage, at 1305 Harbison Avenue (Case File No.: 2016-33 TE)
10. Resolution 2016-14 denying a Conditional Use Permit for wholesale automobile sales with accessory auto repair, detail, and outdoor storage located at 2000 Roosevelt Avenue (Case File No.: 2016-10 CUP)
11. Approval of the 2017 Planning Commission Calendar
12. Election of Officers for 2017

STAFF REPORTS

Senior Assistant City Attorney

Deputy City Manager

Principal Planners

Commissioners

Chairperson

ADJOURNMENT

Adjournment to next regularly scheduled meeting on December 19, 2016.



Planning Commission Minutes

Meeting of November 7, 2016

**Planning Commission Meeting
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950**

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Chair Baca at 6:05 p.m.

Roll Call

Commissioners Present: Bush, Yamane, Garcia, Baca, Sendt, Flores
Commissioners Absent: Dela Paz

Staff Also Present: George Eiser, Interim City Attorney; Martin Reeder, Principal Planner; Jessica Madamba, Planning Technician; Michael Fellows, Assistant Planner; Brad Raulston, Deputy City Manager; Lieutenant Robert Rounds, NCPD;

Pledge of Allegiance Presented by Commissioner Garcia

1. Approval of Minutes for the Meeting on August 15, 2016.

Motion by Garcia, 2nd by Sendt to approve the Minutes for the meeting of August 15, 2016.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Yamane, Sendt, Bush

Absent: Dela Paz

2. Approval of Agenda for the Meeting on November 7, 2016.

Motion by Yamane, 2nd by Bush to approve the Agenda for the meeting of November 7, 2016.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Yamane, Sendt, Bush

Absent: Dela Paz

Note: Commissioner Dela Paz arrived at 6:14 pm

Note: Item 11 moved up to this position

OTHER BUSINESS

- 11. Request to Initiate a General Plan Amendment, Code Amendment, and Zone Change to change the zoning from Major Mixed-Use District (MXD-2) to Service Commercial (CS) and Open Space (OS), and to allow used vehicle sales subject to a Conditional Use Permit in relation to a proposed Carmax Dealership to be located on Plaza Bonita Road.**

Motion by Garcia, 2nd by Sendt to initiate the General Plan Amendment, Code Amendment, and Zone Change to change the zoning from Major Mixed-Use District (MXD-2) to Service Commercial (CS) and Open Space (OS), and to allow used vehicle sales subject to a Conditional Use Permit in relation to a proposed Carmax Dealership to be located on Plaza Bonita Road.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush

Noes: Yamane, Dela Paz

ORAL COMMUNICATION: None

PRESENTATIONS: None

CONTINUED PUBLIC HEARINGS: None

PUBLIC HEARINGS

- 3. Conditional Use Permit for the expansion for of a convenience store at an existing gas station at 1803 Highland Avenue. (Case File No.: 2016-17 CUP)**

Presented by Martin Reeder, Principal Planner and Jessica Madamba, Planning Technician

Applicant: Michael Rafo, acknowledges understanding and accepts conditions of the CUP.

Motion by Garcia, 2nd by Bush to close the Public Hearing for a Conditional Use Permit for the expansion for of a convenience store at an existing gas station at 1803 Highland Avenue. (Case File No.: 2016-17 CUP)

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane, Dela Paz

4. Resolution 2016-13 taking action on a Conditional Use Permit for the expansion of a convenience store at an existing gas station at 1803 Highland Avenue (Case File No.: 2016-17 CUP)

Motion by Bush, 2nd by Flores to approve Resolution 2016-13 for a Conditional Use Permit for the expansion of a convenience store at an existing gas station at 1803 Highland Avenue (Case File No.: 2016-17 CUP) with all conditions as listed.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane, Dela Paz

5. Conditional Use Permit for wholesale automobile sales with accessory auto repair, detail, and outdoor storage located at 2000 Roosevelt Avenue (Case File No.: 2016-10 CUP)

Note: Commissioner Bush exited chambers at 7:37 and returned at 7:41 pm

Presented by Michael Fellows, Assistant Planner

Speaker: Applicant: Debra Falk, Perry Ford, read and understands conditions of CUP
Seven speakers opposed to this item: Ted Godshalk, Margaret Godshalk, Mary Jane Jagodzinski, Erin Panichkul, Maria C. Villanueva, Alicia Sanchez, Carolina Martinez

Motioned by Garcia, 2nd by Yamane to close the Public Hearing for a Conditional Use Permit for wholesale automobile sales with accessory auto repair, detail, and outdoor storage located at 2000 Roosevelt Avenue (Case File No.: 2016-10 CUP)

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane

Noes: Dela Paz

6. Resolution 2016-14 taking action on a Conditional Use Permit for wholesale automobile sales with accessory auto repair, detail, and outdoor storage located at 2000 Roosevelt Avenue (Case File No.: 2016-10 CUP)

Note: Commissioner Yamane exited chambers at 7:57 and returned at 8:00.

Motion by Bush, 2nd by Yamane asking staff to return with a resolution denying the Conditional Use Permit for wholesale automobile sales with accessory auto

repair, detail, and outdoor storage located at 2000 Roosevelt Avenue (Case File No.: 2016-10 CUP) based on findings that it is inconsistent with current land use designation of limited commercial as stated in the Westside Specific Plan.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane, Dela Paz

Note: Recess 8:32 to 8:37

The meeting resumed and called to order at 8:37 by Chairman Baca

ROLL CALL:

Present: Bush, Yamane, Garcia, Baca, Sendt, Flores

Absent: Dela Paz

7. Conditional Use Permit and Tentative Parcel Map to convert a three unit multi-family development to condominiums at 1404 & 1408 Coolidge Avenue and 316 West 14th Street (Case File No.: 2016-18 CUP, LS)

Presented by Martin Reeder, Principal Planner

Applicants: William Lewallen, Robert Zenowski – applicant's representative – have read and understand the conditions of the CUP.

Motion by Garcia, 2nd by Yamane to close the Public Hearing for a Conditional Use Permit and Tentative Parcel Map to convert a three unit multi-family development to condominiums at 1404 & 1408 Coolidge Avenue and 316 West 14th Street (Case File No.: 2016-18 CUP, LS)

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane

Absent: Dela Paz

8. Resolution 2016-15 taking action on a Conditional Use Permit and Tentative Parcel Map to convert a three unit multi-family development to condominiums at 1404 & 1408 Coolidge Avenue and 316 West 14th Street (Case File No.: 2016-18 CUP, LS)

Motion by Bush, 2nd by Garcia to approve Resolution 2016-15 taking action on a Conditional Use Permit and Tentative Parcel Map to convert a three unit multi-family development to condominiums at 1404 & 1408 Coolidge Avenue and 316 West 14th Street (Case File No.: 2016-18 CUP, LS)

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush

No: Yamane

Absent: Dela Paz

9. Conditional Use Permit for a craft beer tasting room to be located at 340 West 26th Street, Suite D (Case File No.: 2016-21 CUP)

Presented by Martin Reeder, Principal Planner

Applicants Jorge Molina, Gustavo Molina, Marco Peña and Jorge Peña have read and understand the conditions with waivers to conditions 8 and 9 of the CUP.

Motioned by Garcia, 2nd by Sendt to close the Public Hearing on a Conditional Use Permit for a craft beer tasting room to be located at 340 West 26th Street, Suite D (Case File No.: 2016-21 CUP)

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane

Absent: Dela Paz

10. Resolution 2016-16 taking action on a Conditional Use Permit for a craft beer tasting room to be located at 340 West 26th Street, Suite D (Case File No.: 2016-21 CUP)

Motioned by Garcia, 2nd by Sendt to approve Resolution 2016-16 taking action on a Conditional Use Permit for a craft beer tasting room to be located at 340 West 26th Street, Suite D (Case File No.: 2016-21 CUP) with recommendation to waive conditions 8 and 9 of the CUP with amendment of time to state hours of operation of 11:00 am to 9:00 pm Monday to Saturday.

Motion carried by the following vote:

Ayes: Garcia, Flores, Baca, Sendt, Bush, Yamane

Absent: Dela Paz

STAFF REPORTS:

Brad Raulston, Deputy City Manager Thank you to Commissioners for participating in Workshop on the Downtown Specific Plan on November 1, 2016. Update meeting will be presented around March/April time frame.

COMMISSIONER REPORTS:

Garcia: Happy to see new projects coming

ADJOURNMENT by Chair Baca at 9:23 p.m. to next meeting scheduled for November 21, 2016 at 6:00 pm.

CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of December 5, 2016.

Planning Commission Meeting Minutes November 7, 2016

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Item no. **3**
December 5, 2016

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR ALCOHOL SALES AT A NEW SUSHI RESTAURANT TO BE LOCATED AT 2220 EAST PLAZA BOULEVARD, SUITE C & D

Case File No.: 2016-26 CUP

Location: Southeast corner of East Plaza Boulevard and Grove Street

Assessor's Parcel No.: 557-380-66

Staff report by: Jessica Madamba – Planning Technician

Applicant: Jason Kim

Property owner: Charles Yablon

Zoning designation: MXD-2 – Major Mixed-Use District

Adjacent land use/zoning:

North: Popeye's Restaurant / Starbucks Coffee / MXD-2

East: Single Family Residential / RS-2 (Small Lot Residential)

South: Single Family Residential / RS-2

West: McDonald's Restaurant across Grove St. / MXD-2

Environmental review: Not a project per CEQA

Staff recommendation: Approve

BACKGROUND

The property owner has applied for a Conditional Use Permit (CUP) to sell beer and wine at a new restaurant, Sushi Loco. Business operating hours, as well as alcohol sales, would be from 11 a.m. to 10 p.m. daily. A Type 41 (On-Sale Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

Site Characteristics

The project location is Grove Plaza, located at 2220 E. Plaza Blvd., in the Major Mixed-Use District (MXD-2) zone. The premises are a 1,890 square-foot suite, which has historically been two separate suites (C & D), within the center. The area is adjacent to other commercial uses including Popeye's and Starbucks. Single-family residential uses are located to the south and to the east in the Small Lot Residential (RS-2) zone.

Proposed Use

The applicant is proposing to open a new sushi restaurant in the 1,890 square-foot commercial suite. The floor plan provided with this application shows 41 seats, 7 of which would be at a sushi counter. The applicant wishes to sell beer and wine in the restaurant, which requires a Conditional Use Permit (CUP). Alcohol would be delivered to the table upon request. Proposed operation and alcohol sales hours are 11:00 a.m. to 10:00 p.m. daily. No live entertainment is proposed.

Analysis

Section 18.30.050 of the National City Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUP's include expanded notification, a community meeting, and distance requirements.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications, as was done in this case. 629 people were notified by mail of this public hearing.

Community Meeting – Pursuant to Section 18.30.050 (C), a community meeting was held Monday, September 12, 2016 at 6:30 pm at the subject restaurant. The meeting advertisement is attached. Three people were in attendance, including the applicant.

Distance Requirements – Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools. However, restaurants with greater than 30% of their area devoted to seating (which applies in this case) are exempt from these distance requirements. There are no schools within 660 feet. The nearest school is Palmer Way Elementary School, which is located approximately a half-mile away.

Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use District zone pursuant to a Conditional Use Permit, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. In addition, the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was already analyzed for traffic impacts when it was constructed. In addition, because the sale of alcohol would be accessory to the sale of food, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use would be accessory to a restaurant use, which will be located in an existing commercial area. The addition of alcohol sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will be compatible with other nearby businesses. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

7. That the proposed use is deemed essential and desirable to the public convenience or necessity.

In this case the alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.

Department and Agency comments

Alcohol Sales Concentration/Location – Per ABC, there are currently no existing on-sale licenses and three off-sale authorized for Census Tract (120.03). For reference, the off-sale alcohol outlets in the census tract are:

Name	Address	License Type*	CUP
The Liquor Bottle	2605 E 18 th St.	21	-
Imperial Liquor	3106 E 16 th St.	21	-
7 Eleven	3100 E Plaza Blvd	21	-

* Type 20 – Off-Sale Beer and Wine
Type 21 - Off-Sale General

Census tract 120.03 includes the area between Interstate 805 and Harbison Avenue, and between E. Plaza Blvd. and E. 18th St. The attached census tract map shows the location of the subject tract. Per State Alcoholic Beverage Control (ABC) there are currently three off-sale licenses in this census tract (120.03) where a maximum of four are recommended. Again, there are no on-sale licenses in the census tract.

Police Department

The Alcohol Beverage Control Risk Assessment provided by PD allocated a total of 11 points, which would be considered a Low Risk. Impacts with regards to the issuance of an on-sale ABC License at this location are not expected.

Institute for Public Strategies (IPS)

The Institute for Public Strategies recommends that if the CUP is approved that owners, management, and staff be required to attend Responsible Beverage Sales and Service training (covered under condition no. 11). Comments are attached for your review.

Building Division

Comments were provided by the Building Division, which require any plans for future construction to comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per Council policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.).

Summary

The proposed use is consistent with the General Plan because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed-Use District Zone. The proposed use would be accessory to a restaurant use in an existing commercial area, which is not expected to increase the demand for parking or other services on the property. The addition of alcohol sales is not expected to have any significant effects on the area.

OPTIONS

1. Approve 2016-26 CUP subject to the attached conditions, and based on attached findings or other findings as determined by the Planning Commission; or
2. Deny 2016-26 CUP based on findings as determined by the Planning Commission; or
3. Continue the item for additional information

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Department and Agency Comments
5. Census Tract Map
6. Public Hearing Notice (Sent to 629 property owners and Occupants)
7. Community meeting advertisement, sign-in sheet, and minutes
8. Applicant's Plans (Exhibits A, Case File No. 2016-26 CUP, dated 9/21/2016)



JESSICA MADAMBA
Planning Technician



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL
2016-26 CUP – 2220 East Plaza Blvd., Suite C & D

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed Use District.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to a proposed restaurant in an existing commercial area.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed and the proposed use would be accessory to a proposed restaurant use in an existing commercial area, which is not expected to increase the demand for parking on the property.
5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be compatible with other nearby businesses; and because the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use is not a project per the Act. There is no calculable increase in traffic and no other impacts are anticipated; therefore, the project would not result in any physical changes to the environment.

7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL
2016-26 CUP – 2220 East Plaza Blvd., Suite C & D

General

1. This Conditional Use Permit authorizes the sale of beer at a restaurant to be located at 2220 East Plaza Blvd., Suite C & D. Plans submitted for permits associated with this project shall conform to Exhibit A, case file no. 2016-26 CUP, dated 9/21/2016.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

7. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.

Fire

8. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
9. All required signage shall be designed and installed to the Fire Department's specifications.
10. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

11. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
12. The sale of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m.

2016-26 CUP – 2220 East Plaza Blvd. Ste. C & D – Overhead





(add additional owners on page 2)

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Average (2 pts)
Above (3 pts)

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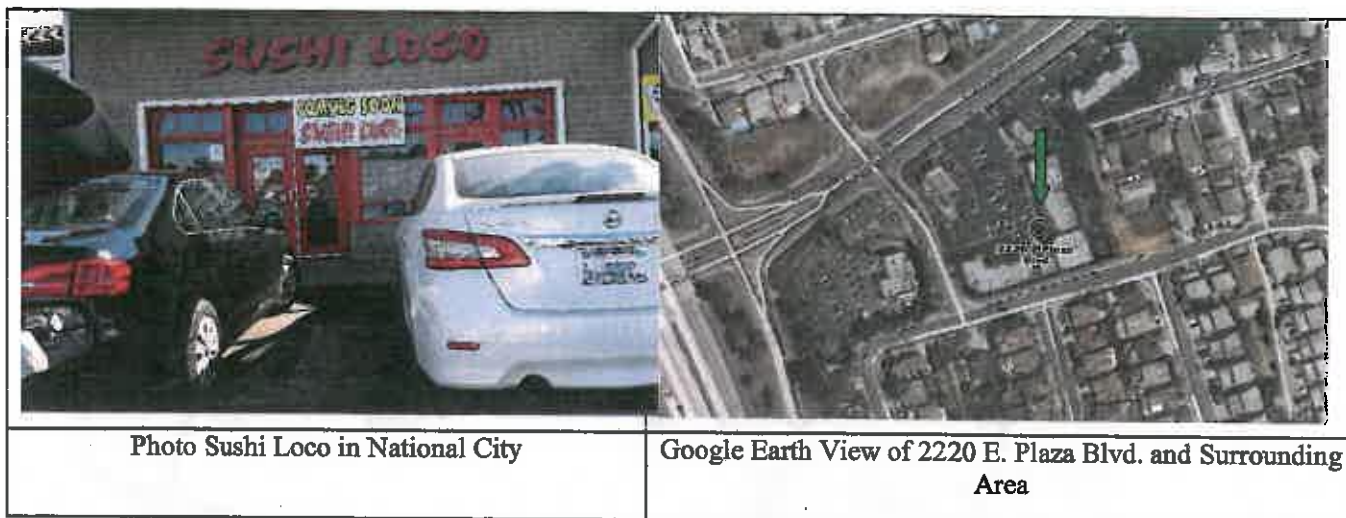


Environmental Scan for Alcohol License C.U.P.

Sushi Loco

2220 E. Plaza Blvd., National City, CA 91950

October 18, 2016



This environmental scan is for a Conditional Use Permit for to sell beer & wine at Sushi Loco located at 2220 E. Plaza Blvd., National City. The business is located east of the 805 Freeway. An environmental scan was conducted on Tuesday, October 18, 2016.

The proposed Sushi Loco Restaurant will be located in an existing commercial building with multiple suites on the southeast corner of East Plaza Boulevard and Grove Street in the Major Mixed-Use District (MXC-2) zone. The applicant is proposing to sell beer and wine at a new restaurant in Suites C and D, a 1,890 square-foot commercial space. The business will operate seven days a week, from 11 a.m. to 10 p.m.

Youth Sensitive Areas

The business is not located near any youth sensitive areas.

Churches

There are were no churches noted in the immediate area of the business.

Funded by the San Diego County Health and Human Services Agency
2615 Camino del Rio So. #300 • San Diego, California, 92108 • Phone: 619.476-9100 • Fax: 619.476-9104

www.publicstrategies.org

Census Tracts

	Off-Sale	On-Sale
Tract 120.03 <i>Establishment is within this tract</i>	Allowed: 2 Actual: 3 Number Above/Below Allowable: - +1	Allowed: 4 Actual: 0 Above/Below: -4
Neighboring Census Tracts		
Tract 120.02	Allowed: 2 Actual: 2 Number Above/Below Allowable: --	Allowed: 4 Actual: 2 Above/Below: -2

Crime Rate

Refer to National City Police Department for crime data.

Considerations

Should a CUP be issued we would recommend that:

Staff, management, and owner be required to attend the Responsible Beverage Sales and Service training.



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

October 3, 2016

To: Planning Division

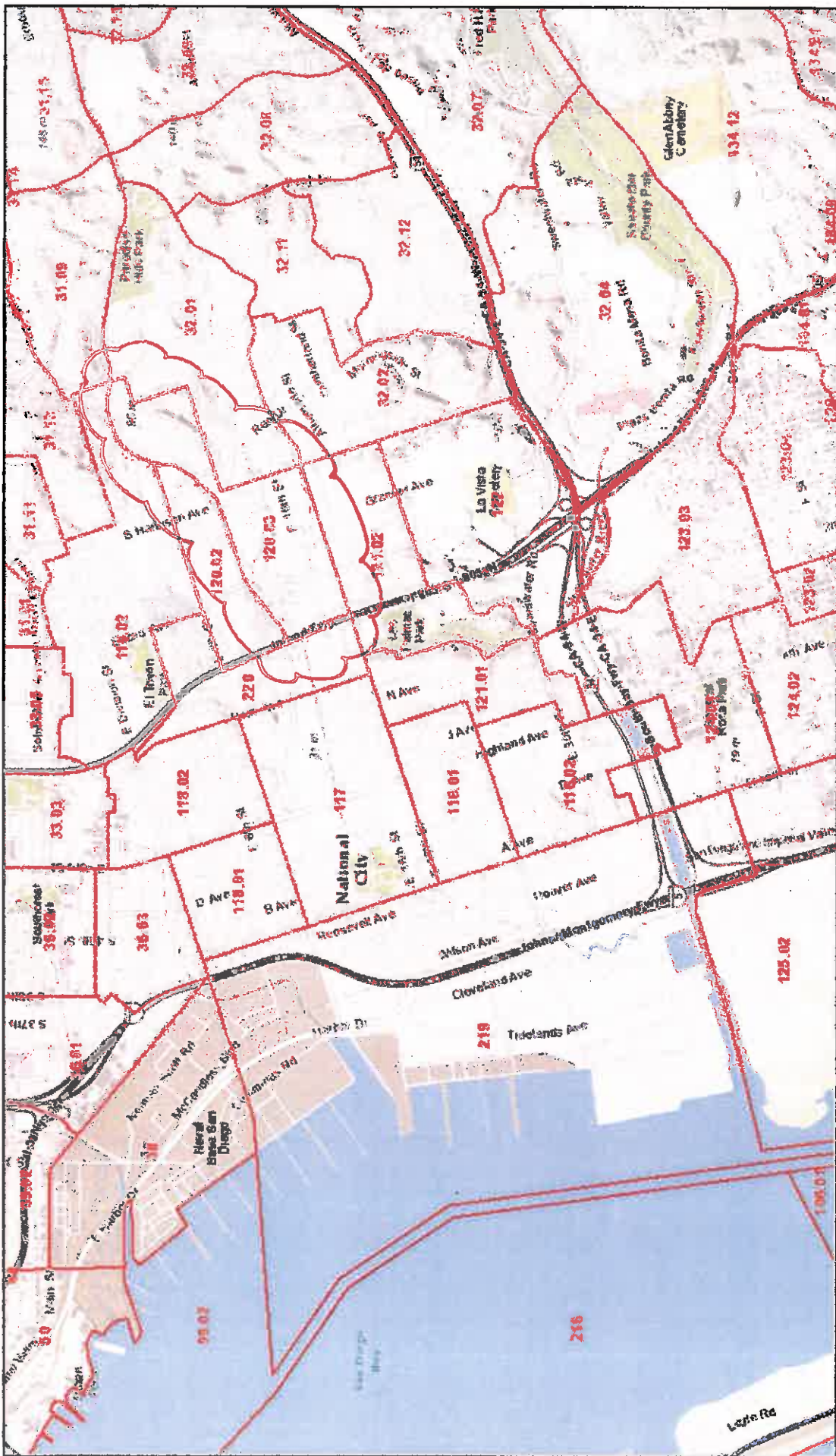
From: Building Division

Subject: Case File No. 2016-26
2220 East Plaza Blvd.

The proposed 1890 square foot restaurant at the location listed above shall be constructed as per the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes if plans are submitted prior to the end of 2016. If plans are submitted on or after January 1, 2017, they shall comply with the 2016 California Building Codes. If you have any questions regarding this matter please contact me at 619-336-4214, thank you.

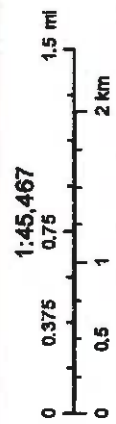
A handwritten signature in blue ink, appearing to read "Luis Sainz", with a large, stylized flourish extending from the end of the signature.

Luis Sainz
Building Official



August 25, 2014

CensusTracts 2010



Sources: Esri, HERE, DeLoma, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT FOR ALCOHOL SALES
AT A NEW SUSHI RESTAURANT TO BE LOCATED
AT 2220 EAST PLAZA BOULEVARD, SUITE C & D.
CASE FILE NO.: 2016-26 CUP
APN: 527-380-66

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, December 5, 2016**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jason Kim)

The applicant wishes to sell beer and wine at a new sushi restaurant, Sushi Loco, in an existing commercial suite. The business operating hours, as well as alcohol sales will be from 11 a.m. to 10 p.m. daily. No construction is proposed.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **December 5, 2016** by the Planning Department, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Deputy City Manager

COMMUNITY MEETING

Subject: Conditional Use Permit (Beer & Wine License)

Date: September 12, 2016

Time: 6:30PM

Location: Sushi Loco

2220 E Plaza Blvd

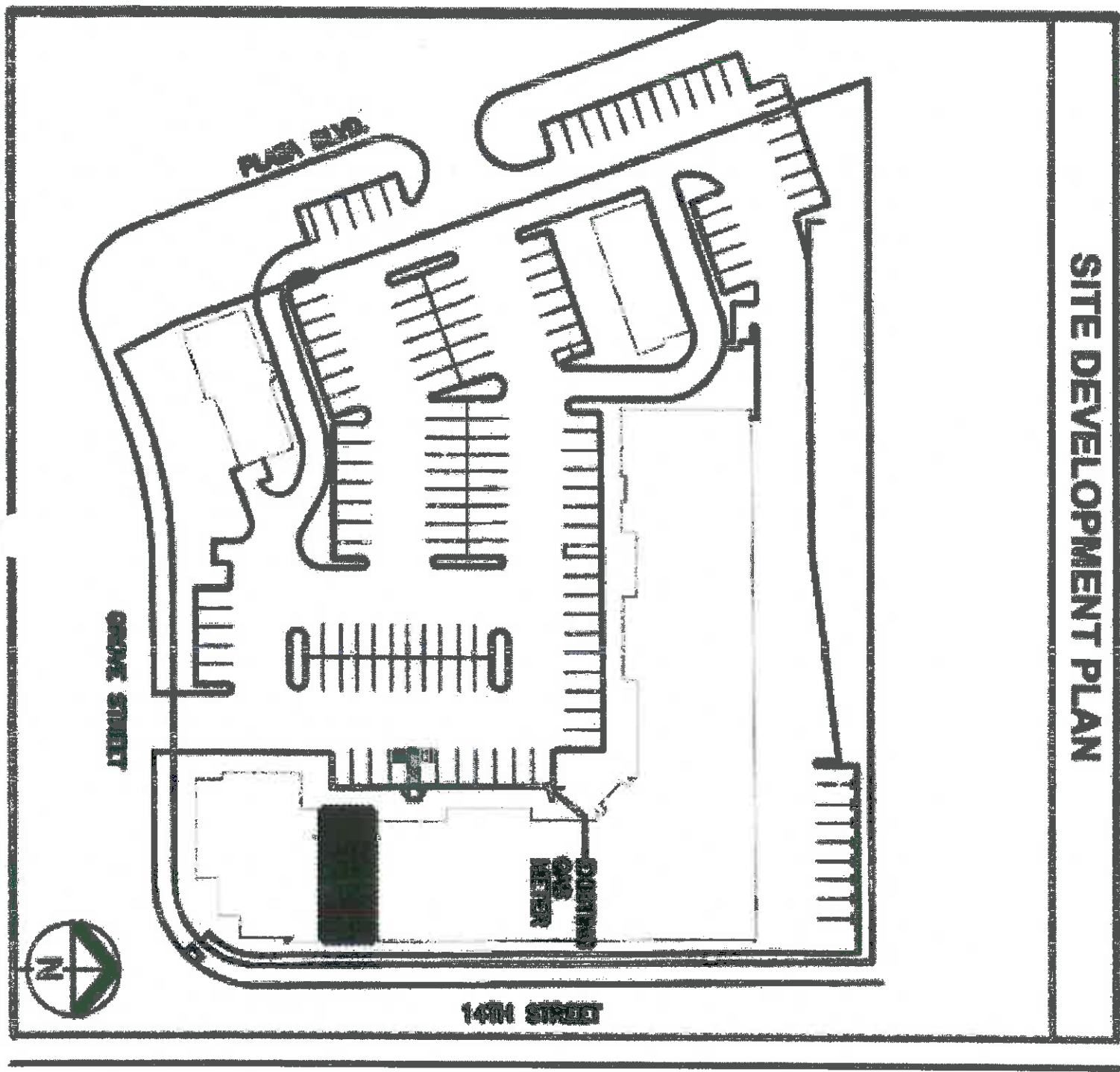
National City, CA 91950

We will be holding a community meeting, regarding about the Conditional Use Permit (Beer & Wine License) September 12, 2016. Sushi Loco is a Japanese restaurant that will be located in the Grove Plaza Mall and the Beer & Wine License authorizes the sale of beer and/or wine for consumption at Sushi Loco. If you are interested or have any questions, feel free to come by to Sushi Loco at 6:30Pm on September 12, 2016.



20

SITE DEVELOPMENT PLAN



RESOLUTION NO. 2016-17

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR ALCOHOL SALES
AT A NEW SUSHI RESTAURANT TO BE LOCATED
AT 2220 EAST PLAZA BOULEVARD, SUITE C & D.
CASE FILE NO. 2016-26 CUP
APN: 557-380-66**

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at a new restaurant to be located at 2220 East Plaza Boulevard, Suite C & D at a duly advertised public hearing held on December 5, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-26 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on December 5, 2016, support the following findings:

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed Use District.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, because alcohol sales are permitted, subject to a Conditional Use

Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.

3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to a proposed restaurant in an existing commercial area.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed and the proposed use would be accessory to a proposed restaurant use in an existing commercial area, which is not expected to increase the demand for parking on the property.
5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be compatible with other nearby businesses; and because the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use is not a project per the Act; There is no calculable increase in traffic and no other impacts are anticipated; therefore, the project would not result in any physical changes to the environment.
7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer at a restaurant to be located at 2220 East Plaza Blvd., suite C & D. Plans submitted for permits associated with this project shall conform to Exhibit A, case file no. 2016-26 CUP, dated 9/21/2016.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

7. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.

Fire

8. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
9. All required signage shall be designed and installed to the Fire Department's specifications.

10. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

11. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
12. The sale of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 5, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION 2016-18

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A TENTATIVE PARCEL MAP FOR
THE CREATION OF FOUR LOTS AT
1821 – 1827 "C" AVENUE WITH AN EXCEPTION
FOR LESS THAN REQUIRED LOT FRONTAGE.**

APPLICANT: HAMID HARIRI

CASE FILE NO. 2016-29 LS

WHEREAS, application was made for approval of a Tentative Parcel Map for the creation of four lots at 1821 through 1827 "C" Avenue with an exception for less than required lot frontage on property generally described as:

Lots 5 to 11, inclusive, in Block 4 of Willoughby's subdivision of Ten Acre Lots Three and Four, Quarter Section 153, Rancho De La Nacion, according to Map thereof No. 1366, filed in the office of the county recorder of San Diego County.

Together with the Easterly 10 feet of "C" Avenue as vacated by the City of National City, May 28, 1968 as Instrument No. 89254 of Official Records.

WHEREAS, the Planning Commission of the City of National City considered the Tentative Parcel Map at a duly advertised public hearing held on December 5, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-29 LS, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the Planning Commission has analyzed the project pursuant to the California Environmental Quality Act (CEQA), and determined that the activity in question is exempt from CEQA under 14 Cal. Code Regs. Section 15315 (Minor Land Divisions); and

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at public hearing held on December 5, 2016, support the following findings:

FINDINGS FOR APPROVAL OF THE TENTATIVE PARCEL MAP

1. The proposed map is consistent with the National City General Plan and applicable specific plans, because the lot sizes provided will be adequate to provide a density of residential use that will be consistent with the Medium Density Residential land use designation. Two homes on each lot, as proposed, would require a lot size of at least 5,800 square feet to meet the 15 units per acre maximum. The proposed lot sizes result in a density of approximately 14.3 units per acre each. Additionally, there are no specific plans in this area.
2. The site is physically suitable for the proposed type of development, because it is flat and has enough room for new residences to be constructed that will be able to meet the minimum requirements of the RS-3 zone.
3. The site is physically suitable for the proposed density of development, because the proposed overall density of the project is 14.5 units per acre, where 15 units per acre are permitted in the RS-3 zone.
4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because there is no natural habitat in the area or bodies of water present on-site. In addition, the property is surrounded by urban development and two of the three existing lots are developed with residential uses.
5. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, because the subdivision will be consistent with the existing development pattern in the area, and all necessary public services are and will continue to be provided or will be able to be constructed where not existing.
6. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, because there are no existing

easements on the property other than a blanket utility easement for Sweetwater Authority, which is able to be quitclaimed as part of this project and is required as a condition of approval.

7. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6, because the project is required to install and/or upgrade to current requirements for sewage disposal by the Conditions of Approval of this permit.
8. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources, because the project will provide up to eight separate homeownership opportunities, which is consistent with and encouraged by the City's Housing Element.
9. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage, because most of the existing property is developed and the site is surrounded by existing residential development. All new construction proposed in the future will be in compliance with the California Building Code, which takes such factors in to consideration.

FINDINGS FOR APPROVAL OF THE EXCEPTION FOR LESS THAN REQUIRED STREET FRONTAGE

1. The property to be divided is of such size or shape, that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements, because the properties are of an irregular proportion and deeper than a standard lot. Therefore, although the minimum density requirement can be met by the overall size of the property, it cannot be exercised across four new lots without the reduction in lot width, thus causing a hardship. The reduction would be consistent with three other lots on the same block that are less than 50 feet in width, two of which are developed with residential uses.
2. The exception will not be detrimental to the public health, safety, or welfare, or be detrimental to the use of other properties in the vicinity, because adequate

access to the street (a minimum of 47.5 feet in width) will be provided for all lots, and because the General Plan encourages the creation of home ownership opportunities, which the requested exception facilitates.

3. Granting of the exception is in accordance with the intent and purposes of this title, and is consistent with the General Plan and with all applicable specific plans or other plans of the City, since the proposal will create additional homeownership opportunities, and since there are no applicable specific plans.

BE IT FURTHER RESOLVED that the application for the Tentative Parcel Map is approved subject to the following conditions:

General

1. This *Tentative Parcel Map* authorizes the creation of four new parcels from three existing parcels. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform with Exhibit A, case file no. 2016-29 LS, dated 11/17/2016. No construction or demolition is approved as part of this approval.
2. Before this *Tentative Parcel Map* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Tentative Parcel Map*. The applicant shall also submit evidence to the satisfaction of the City Manager or assign that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Tentative Parcel Map* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. Approval of the tentative map expires two (2) years after adoption of the resolution of approval at 6:00 p.m. unless prior to that date a request for a time extension not exceeding three (3) years has been filed as provided by National City Municipal Code §17.04.070.
4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.

Building

5. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, and Mechanical Code.

Engineering

6. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
7. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
8. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
9. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A checklist for preparation of the grading plan/drainage plan is available at the Engineering Department.
10. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-

way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.

11. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
12. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
13. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
14. The final parcel map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.
15. The developer shall submit to the Fire Department a letter from Sweetwater Authority stating existing fire flow. If determined by the Fire Department that additional improvements are needed, the developer shall enter into an agreement for the water improvements with the Sweetwater Authority prior to obtaining the final map approval.
16. Separate water and sewer laterals shall be provided to each lot/parcel.
17. All new property line survey monuments shall be set on private property, unless otherwise approved.
18. The parcel map/final map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.

Fire

19. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
20. Residential fire sprinklers shall be required.
21. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

22. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
23. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus (15% Grade).
24. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
25. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
26. All contractors shall possess a National City business license prior to Fire Department plan submittal. A copy of the business license will be required at time of plan submittal. Fire submittals shall be submitted to the National City Fire Department directly. Permit and fees shall apply.

San Diego Gas and Electric (SDG&E)

27. The developer shall coordinate with SDG&E to remove the existing gas and electric services prior to any demolition activities.
28. Prior to any grading, digging, trenching, or any other ground disturbing activities, the developer shall notify Dig Alert (811 or www.digalert.org).
29. Overhead power lines in the alley behind the property shall be avoided during demolition and construction activities.

Sweetwater Authority

30. The developer shall be required to abandon the existing ¾-inch water service laterals and install new 1-inch water service laterals for each new lot.
31. The source of domestic water supply for each new lot shall be consistent with the Authority Design Standards and Standard Specification for Construction of Water Facilities for design and placement requirements. Authority water facilities cannot be located on private property or within three (3) feet of the edge of driveway aprons. A separation of ten (10) feet is required between sewer and water laterals.

32. This property is most likely encumbered by an Authority blanket easement. The Authority recommends that the Owner quitclaim the easement prior to Parcel Map recordation. By quitclaiming the easement, both parcel titles will be free of the easement blanket encumbrance, and the Letter of Omission requirements will be eliminated. Quitclaims require approval of the Authority's Governing Board. The Authority fee for such a request is \$700. If the Owner does not choose to quitclaim the blanket easement, the Owner must submit a written request to the Authority for a Letter of Omissions.

33. The parcel is located in a section of the Authority's service area that is served by 6-inch water mains. The closest fire hydrant is located at the northwest corner of East 19th Street and "C" Avenue. The owner must obtain a National City Fire Department Fire Flow Requirement Letter and submit it to the Authority. This request is to assure that adequate fire protection, including necessary water facility improvements (e.g. fire hydrants), are considered during the subdivision and construction review process.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant.

BE IT FURTHER RESOLVED that this resolution shall become effective and final upon adoption, unless appealed pursuant to Section 17.04.050 of the Subdivision Ordinance of the City of National City

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 5, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



Item no. **5**
December 5, 2016

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - TENTATIVE PARCEL MAP FOR THE
CREATION OF FOUR LOTS AT 1821 – 1827 "C" AVENUE
WITH AN EXCEPTION FOR LESS THAN REQUIRED LOT
FRONTAGE.

Case File No.: 2016-29 LS

Location: East side of "C" Avenue, south of East 18th Street

Assessor's Parcel Nos.: 560-222-35, 36, and 37

Staff report by: Martin Reeder, AICP

Applicant: Hamid Hariri

Zoning designation: Medium-Low Density Multi-Unit Residential (RS-3)

Parcel size: 0.55 acres

Adjacent zoning:

North: Single-family homes / RS-3

East: Single-family homes / Very High-Density Residential (RM-3)

South: Single-family homes / RS-3

West: Multi-family residential across "C" Avenue / RS-3

Environmental review: Categorical Exemption – Section 15315 (Minor Land
Divisions)

Staff recommendation: Approve

BACKGROUND

The applicant has applied for a Tentative Parcel map to create four new lots on a property currently comprised of three parcels developed with two homes. The four properties will ultimately be developed with eight new homes (two on each), with the existing homes being demolished and replaced.

Site characteristics

The project site is an approximately 23,750 square-foot (half acre) area located on the east side of "C" Avenue south of East 18th Street. The site slopes slightly from approximately 28 feet in the northwest corner to 25 feet in the southwest corner. The site is comprised of three parcels and is in the RS-3 (Medium-Low Density Multi-Unit Residential) zone. The southerly 40 feet of the southernmost parcel was previously part of East 19th Street.

Two of the parcels have existing houses (approximately 850 square feet each). The southernmost parcel is vacant. An alley runs the length of the block behind the property. The existing lot widths are 50 feet, 75 feet, and 60 feet respectively. The maximum number of units on these lots as they exist would be six. The RS-3 zone permits one unit per full 2,900 square feet of lot area.

Proposed use

The applicant is proposing to create four separate lots from the existing three lots. The two existing homes would be demolished and each new lot will ultimately be developed with two new residences. All new lots would have direct access to "C" Avenue as well as to the alley in the rear of the property. Development of the eight homes would be allowed by right and is not part of this application.

Subdivision of the property into four lots is proposed as follows:

Parcels 1, 2, and 3 would have 48 feet of frontage on "C" Avenue. The lots will be 125.55 feet deep and would have a size of approximately 6,026 square feet.

Parcel 4 would have 47.5 feet of frontage on "C" Avenue. The lot will be 125.55 feet deep and would have a size of approximately 5,964 square feet.

The applicant is requesting an exception for less than required lot width. 47.5 and 48 feet is provided where 50 feet is normally required.

Analysis

General Plan

This project contributes to infill development, which is encouraged by General Plan, as well as provides at least an additional two home ownership opportunities. If the future homes are constructed, the resulting overall density (8 units on .55 acres) of 14.5 units per acre would be consistent with the General Plan density for the Medium Density Residential land use designation (RS-3 and RM-1), which specifies a density range of 9 to 23 units per acre.

Subdivision Ordinance

The proposed subdivision is consistent with the Subdivision Ordinance as it creates a development pattern that is consistent with nearby properties. All properties on this block are regular in shape (rectangular). The proposed lot pattern in this case will be the same. Of the 20 lots on this block, the majority (15) are approximately 50 feet wide (+/-); one is 400 feet wide (developed with an apartment complex); two are 25 feet wide.

Land Use Code

The Land Use Code establishes a maximum density of 15 units per acre in the RS-3 Zone. The density of properties in the same block as the proposed site and on same side of the street is approximately 14 units per acre, consistent with Land Use Code requirements. The proposed future density of the property would be 14.5 units per acre, which is consistent with the maximum density of 15 units per acre.

No grading is proposed as no construction is planned at this time. In the event that the new parcels are developed/redeveloped, grading would be minimal due to the lot being flat in nature. The lot slopes approximately three feet from northeast to southwest; therefore, minor cut and/or fill would be able to provide a level building pad in the future.

Required findings – Tentative Parcel Map

The Subdivision Ordinance contains required findings for Tentative Parcel Maps. There are nine required findings, which are also required by the Subdivision Map Act:

1. The proposed map is consistent with the National City General Plan and applicable specific plans.

The lot sizes provided will be adequate to provide a density of residential use that will be consistent with the Medium Density Residential land use designation. Two homes on each lot, as proposed, would require a lot size of at least 5,800 square feet to meet the 15

units per acre maximum. The proposed lot sizes result in a density of approximately 14.3 units per acre each. There are no specific plans in this area.

2. The site is physically suitable for the proposed type of development.

The site is flat and has enough room for new residences to be constructed that will be able to meet the minimum requirements of the RS-3 zone.

3. The site is physically suitable for the proposed density of development.

The proposed overall density of the project is 14.5 units per acre, where 15 units per acre are permitted in the RS-3 zone.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

There is no natural habitat in the area or bodies of water present on-site. In addition, the property is surrounded by urban development and two of the three existing lots are currently developed with residential uses.

5. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems.

The subdivision will be consistent with the existing development pattern in the area. All necessary public services are and will continue to be provided or will be able to be constructed where not existing.

6. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

There are no existing access easements on the property other than a blanket utility easement for Sweetwater Authority, which is able to be quitclaimed as part of this project and is required as a condition of approval.

7. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with

Section 13000) of the Water Code, as specified by Government Code Section 66474.6.

The project is required to install and/or upgrade to current requirements for sewage disposal by the Conditions of Approval of this permit.

8. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources.

The project will result in at least two new homeownership opportunities, dependent on the type of ownership in the future (each lot will have the option of converting to condominium ownership in the future, which could provide up to eight separate ownership opportunities), which is consistent with and encouraged by the City's Housing Element.

9. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage.

Most of the existing property is developed and the site is surrounded by existing residential development. All new construction proposed in the future will be in compliance with the California Building Code, which takes such factors in to consideration.

Required Findings – Exception For Less Than Required Lot Width

The Subdivision Ordinance contains three required findings for allowing exceptions from the minimum lot design standards:

1. The property to be divided is of such size or shape, that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements.

The properties are of a somewhat irregular proportion, in that most lots are 100 to 115 feet deep. The subject property/properties are over 125 feet deep, about 20-25% more than average. Therefore, although the minimum density requirement can be met by the overall size of the property, it cannot be exercised across four new lots as designed without the reduction in lot width. This can be considered a hardship, as three other lots on the same block have lot widths less than 50 feet, two of which are developed.

2. The exception will not be detrimental to the public health, safety, or welfare, or be detrimental to the use of other properties in the vicinity.

Because adequate access to the street (a minimum of 47.5 feet in width) will be provided for all lots, and because the General Plan encourages the creation of home ownership opportunities, which the requested exception facilitates.

3. Granting of the exception is in accordance with the intent and purposes of this title, and is consistent with the General Plan and with all applicable specific plans or other plans of the City

The proposal will create additional homeownership opportunities, and since there are no applicable specific plans.

A finding for denial of the exception is also included, as the overall number of units can still be provided through an apartment or condominium project of eight units on one parcel under the allowed density in the RS-3 zone:

1. The property to be divided is not of such size or shape, that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements, because the overall size of the property (0.55 acres) can provide the same number of units (eight) as is proposed through the four-lot subdivision.

However, given that the City already has a rental occupancy rate (as opposed to owner occupancy) of over 70%, and since the General Plan encourages homeownership, staff is of the opinion that the spirit and intent of the General Plan and Land Use Code is being met by this proposal.

Department Comments

Comments were received from the Building, Engineering, and Fire Departments, as well as San Diego Gas and Electric (SDG&E) and Sweetwater Authority. The comments have been included as Conditions of Approval. The Building Department is requiring compliance with codes related to construction of future housing; the Engineering Department provided comments related to future grading and construction, and Final Map requirements; the Fire Department is requiring compliance with codes related to fire protection and access for future housing; Sweetwater Authority provided comments related to the adequacy of existing infrastructure and easements; SDG&E is requiring notification, as well as abandonment and replacement of existing utilities as part of proposed demolition. As no construction is currently proposed, any comments related to construction and utilities would be addressed at the time of future building permit submittal.

Summary

The subject property is a large lot, which is almost 1,000 square feet larger than necessary to provide the minimum lot size in the RS-3 zone for four new parcels. However, the current configuration would only allow six homes where eight could be provided through the proposed subdivision. The project as proposed provides a regular lot configuration and meets minimum lot size requirements. Although not meeting the minimum lot width standards, the proposal would still result in a uniform lot pattern that would be consistent with area development. If approved, the proposed subdivision will result in additional home ownership opportunities, and will meet all Land Use Code requirements, consistent with the General Plan. Conditions of Approval will ensure that the property is appropriately developed and will meet all requirements of the Land Use Code and pertinent construction codes at time of future construction.

OPTIONS

1. Approve 2016-29 LS subject to the conditions listed below, based on attached findings/ findings to be determined by the Planning Commission; or
2. Deny 2016-29 LS based on the attached finding/findings to be determined by the Planning Commission; or
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions
3. Overhead
4. Notice of Exemption
5. Public Hearing Notice (Sent to 178 property owners and occupants)
6. Site photos
7. Applicant's Plans (Exhibit A, case file no. 2016-29 LS, dated 11/17/2016)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL
OF THE TENTATIVE PARCEL MAP
Case File No. 2016-29 LS – 1821-1827 “C” Avenue

1. The proposed map is consistent with the National City General Plan and applicable specific plans, because the lot sizes provided will be adequate to provide a density of residential use that will be consistent with the Medium Density Residential land use designation. Two homes on each lot, as proposed, would require a lot size of at least 5,800 square feet to meet the 15 units per acre maximum. The proposed lot sizes result in a density of approximately 14.3 units per acre each. Additionally, there are no specific plans in this area.
2. The site is physically suitable for the proposed type of development, because it is flat and has enough room for new residences to be constructed that will be able to meet the minimum requirements of the RS-3 zone.
3. The site is physically suitable for the proposed density of development, because the proposed overall density of the project is 14.5 units per acre, where 15 units per acre are permitted in the RS-3 zone.
4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because there is no natural habitat in the area or bodies of water present on-site. In addition, the property is surrounded by urban development and two of the three existing lots are currently developed with residential uses.
5. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, because the subdivision will be consistent with the existing development pattern in the area, and all necessary public services are and will continue to be provided or will be able to be constructed where not existing.
6. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, because there are no existing easements on the property other than a blanket utility easement for Sweetwater Authority, which is able to be quitclaimed as part of this project and is required as a condition of approval.

7. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6, because the project is required to install and/or upgrade to current requirements for sewage disposal by the Conditions of Approval of this permit.
8. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources, because the project will provide up to eight separate homeownership opportunities, which is consistent with and encouraged by the City's Housing Element.
9. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage, because most of the existing property is developed and the site is surrounded by existing residential development. All new construction proposed in the future will be in compliance with the California Building Code, which takes such factors in to consideration

**RECOMMENDED FINDINGS FOR APPROVAL OF THE EXCEPTION
FOR LESS THAN REQUIRED STREET FRONTAGE
Case File No. 2016-29 LS – 1821-1827 "C" Avenue**

1. The property to be divided is of such size or shape, that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements, because the properties are of an irregular proportion and deeper than a standard lot. Therefore, although the minimum density requirement can be met by the overall size of the property, it cannot be exercised across four new lots without the reduction in lot width, thus causing a hardship. The reduction would be consistent with three other lots on the same block that are less than 50 feet in width, two of which are developed with residential uses.
2. The exception will not be detrimental to the public health, safety, or welfare, or be detrimental to the use of other properties in the vicinity, because adequate access to the street (a minimum of 47.5 feet in width) will be provided for all lots, and because the General Plan encourages the creation of home ownership opportunities, which the requested exception facilitates.
3. Granting of the exception is in accordance with the intent and purposes of this title, and is consistent with the General Plan and with all applicable specific plans or other plans of the City, since the proposal will create additional homeownership opportunities, and since there are no applicable specific plans.

**RECOMMENDED FINDING FOR DENIAL OF THE EXCEPTION
FOR LESS THAN REQUIRED STREET FRONTAGE
Case File No. 2016-29 LS – 1821-1827 "C" Avenue**

1. The property to be divided is not of such size or shape, that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements, because the overall size of the property (0.55 acres) can provide the same number of units (eight) as is proposed through the four-lot subdivision.

RECOMMENDED CONDITIONS OF APPROVAL
Case File No. 2016-29 LS – 1821-1827 "C" Avenue

General

1. This *Tentative Parcel Map* authorizes the creation of four new parcels from three existing parcels. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform with Exhibit A, case file no. 2016-29 LS, dated 11/17/2016. No construction or demolition is approved as part of this approval.
2. Before this *Tentative Parcel Map* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Tentative Parcel Map*. The applicant shall also submit evidence to the satisfaction of the City Manager or assign that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Tentative Parcel Map* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. Approval of the tentative map expires two (2) years after adoption of the resolution of approval at 6:00 p.m. unless prior to that date a request for a time extension not exceeding three (3) years has been filed as provided by National City Municipal Code §17.04.070.
4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.

Building

5. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, and Mechanical Code.

Engineering

6. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is

submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.

7. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
8. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
9. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A checklist for preparation of the grading plan/drainage plan is available at the Engineering Department.
10. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
11. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
12. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.

13. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
14. The final parcel map shall meet all of the requirements of the Subdivision Map Act, and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information and monumentation.
15. The developer shall submit to the Fire Department a letter from Sweetwater Authority stating existing fire flow. If determined by the Fire Department that additional improvements are needed, the developer shall enter into an agreement for the water improvements with the Sweetwater Authority prior to obtaining the final map approval.
16. Separate water and sewer laterals shall be provided to each lot/parcel.
17. All new property line survey monuments shall be set on private property, unless otherwise approved.
18. The parcel map/final map shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.

Fire

19. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
20. Residential fire sprinklers shall be required.
21. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
22. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire

department access roads shall be painted and signed to prevent parking in these required designated emergency areas.

23. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus (15% Grade).
24. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
25. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.
26. All contractors shall possess a National City business license prior to Fire Department plan submittal. A copy of the business license will be required at time of plan submittal. Fire submittals shall be submitted to the National City Fire Department directly. Permit and fees shall apply.

San Diego Gas and Electric (SDG&E)

27. The developer shall coordinate with SDG&E to remove the existing gas and electric services prior to any demolition activities.
28. Prior to any grading, digging, trenching, or any other ground disturbing activities, the developer shall notify Dig Alert (811 or www.digalert.org).
29. Overhead power lines in the alley behind the property shall be avoided during demolition and construction activities.

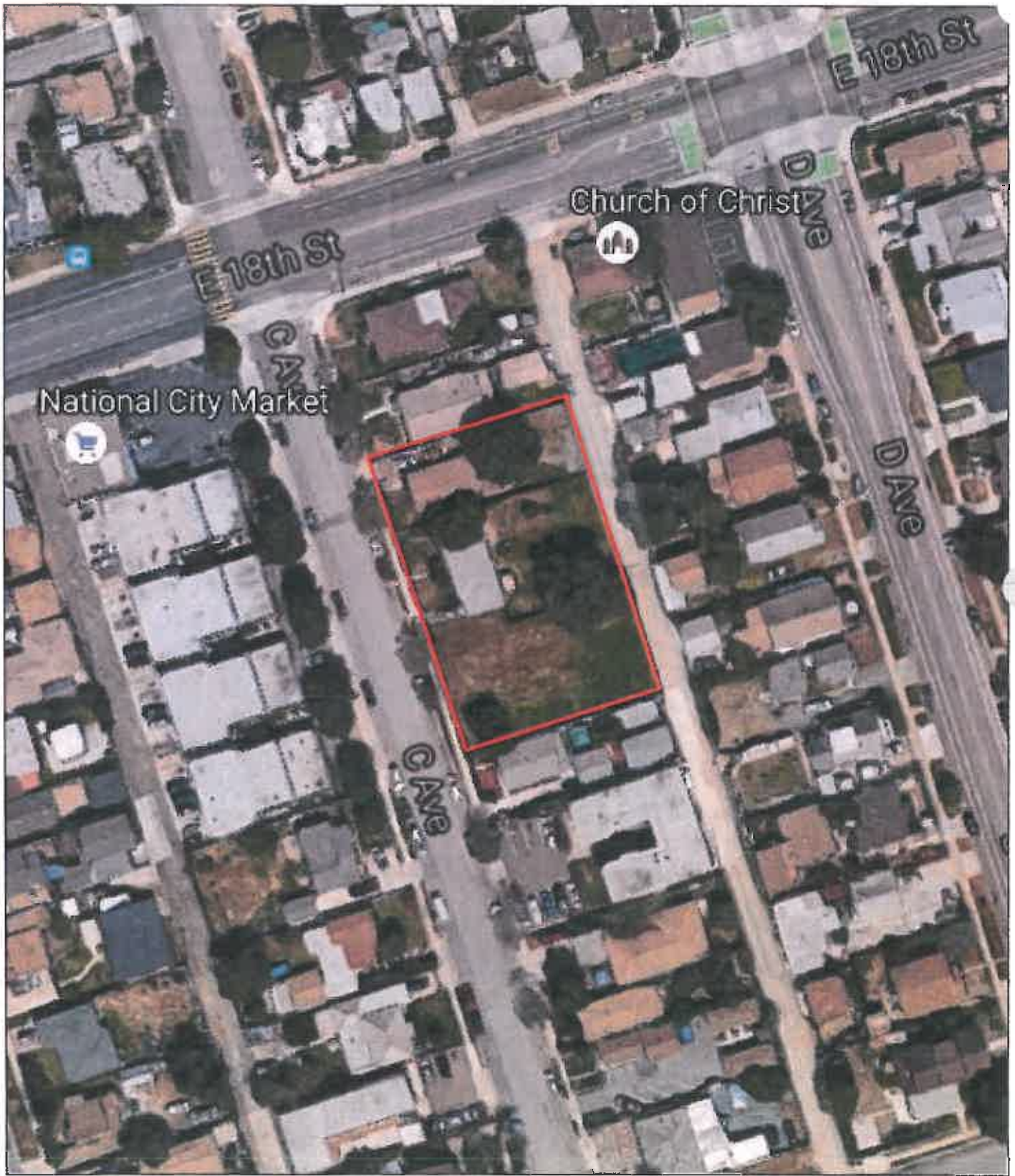
Sweetwater Authority

30. The developer shall be required to abandon the existing ¾-inch water service laterals and install new 1-inch water service laterals for each new lot.
31. The source of domestic water supply for each new lot shall be consistent with the Authority Design Standards and Standard Specification for Construction of Water Facilities for design and placement requirements. Authority water facilities cannot be located on private property or within three (3) feet of the edge of driveway aprons. A separation of ten (10) feet is required between sewer and water laterals.
32. This property is most likely encumbered by an Authority blanket easement. The Authority recommends that the Owner quitclaim the easement prior to Parcel Map recordation. By quitclaiming the easement, both parcel titles will be free of the easement blanket encumbrance, and the Letter of Omission requirements will be eliminated. Quitclaims require approval of the Authority's Governing Board. The

Authority fee for such a request is \$700. If the Owner does not choose to quitclaim the blanket easement, the Owner must submit a written request to the Authority for a Letter of Omissions.

33. The parcel is located in a section of the Authority's service area that is served by 6-inch water mains. The closest fire hydrant is located at the northwest corner of East 19th Street and "C" Avenue. The owner must obtain a National City Fire Department Fire Flow Requirement Letter and submit it to the Authority. This request is to assure that adequate fire protection, including necessary water facility improvements (e.g. fire hydrants), are considered during the subdivision and construction review process.

2016-29 LS – 1821-27 "C" Avenue – Overhead





NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2016-29 LS

Project Location: 1821-1827 "C" Avenue, National City, CA 91950

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Tentative Parcel Map to re-subdivide three existing lots totaling .55 acres into four new lots. There are two existing single-family homes that will be demolished and replaced with a total of eight new homes (two on each new lot). No construction is proposed as part of this project, although the development will be permitted by right in the future.

Applicant:
Hamid Hariri
26822 Bridlewood Drive
Laguna Hills, CA 92653

Telephone Number:
(949) 254-2639

Exempt Status:

☒ **Categorical Exemption – Section 15315 (Minor Land Divisions)**

Reasons why project is exempt:

It can be seen with certainty that the project will not have a significant effect on the environment. The project is a minor land division within the city limits of National City, an urbanized area. The .55-acre property has been disturbed previously and has no value as habitat. The division fulfills the General Plan's intent for this land use designation with regard to providing new homeownership opportunities.

Date:

MARTIN REEDER, AICP
Principal Planner



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

**TENTATIVE PARCEL MAP FOR THE CREATION OF FOUR LOTS
AT 1821 – 1827 "C" AVENUE WITH AN EXCEPTION
FOR LESS THAN REQUIRED LOT FRONTAGE.
CASE FILE NO.: 2016-29 LS
APN: 560-222-35, 36, 37**

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, December 5, 2016** in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Hamid Hariri)

The existing property is currently comprised of three separate parcels. The applicant is proposing to re-subdivide the existing parcels into a four-lot subdivision. No construction is proposed at this time, although the current Medium-Low Density Residential (RS-3) zoning will allow for up to two residences per lot.

Plans are available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **December 5, 2016**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

A handwritten signature in blue ink, appearing to read "BRAD RAULSTON", written over a horizontal line.

BRAD RAULSTON
Deputy City Manager

Site Photos – 1821-1827 “C” Avenue – 2016-29 LS



Looking east from “C” Avenue at existing homes



Looking east from “C” Avenue at southerly vacant property



Item no. **7**
December 5, 2016

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONDITIONAL CERTIFICATE OF COMPLIANCE FOR A
LOT LINE ADJUSTMENT AT PROPERTY LOCATED AT
1918-1930 CLEVELAND AVENUE

Case File No.: 2016-25 CC

Location: Northwest corner of Cleveland Avenue and West 18th Street

Assessor Parcel Nos.: 559-096-02 (Parcel A) and 559-096-03 (Parcel B)

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant / Owner: 1918 Cleveland Avenue, LLC

Plans prepared by: Steven M. Howell

Zoning designation: Medium Manufacturing (Coastal Zone) / MM-CZ

Parcel size:	<u>Existing</u>	<u>Proposed</u>
Parcel A:	11,500 ft ²	9,264 ft ²
Parcel B:	5,750 ft ²	7,986 ft ²

Adjacent zoning:

North: Industrial use / MM-CZ

East: Industrial use across Cleveland Avenue / MM-CZ

South: Industrial use across West 20th Street / MM-CZ

West: Industrial use / MM-CZ

Environmental review: Categorical Exemption – Section 15315 (Minor Land Divisions)

Staff recommendation: Approve

BACKGROUND

The applicant has applied for a Lot Line Adjustment to move the property line between two industrial properties so that they can be sold off individually. A Certificate of Compliance is required to be approved by the Planning Commission per the City's Subdivision Ordinance (NMC Title 17).

Site Characteristics

The subject property is comprised of two parcels in the Medium Manufacturing (MM-CZ) zone, located at the northwest corner of Cleveland Avenue and West 20th Street. The property is also in the Coastal Zone. The properties are developed with two conjoined industrial buildings totaling approximately 5,200 square feet, a small office and storage building (1918 Cleveland Avenue), and a 12-space parking lot. The northerly part of the building, which is oriented north to south, is used for industrial purposes associated with YYK Industries, the owner and tenant of the building. The southerly part of the building, which is oriented east to west, is an existing restaurant (Papagallo's). The parking lot lies to the south and is mostly located on its own lot, with a small portion on the adjacent lot with the industrial buildings. There is an alley to the west of both properties.

The lot is shown on the current zoning map as being in the Medium Industrial (IM) zone, and also within the Coastal Zone. The most recent Land Use Code Update is not active in the Coastal Zone. This is due to the fact that the necessary changes in the City's Local Coastal Plan have not yet been submitted to nor approved by the Coastal Commission. Therefore, the City's previous zoning would generally apply. In this case the zone would have been MM-CZ (Medium Manufacturing – Coastal Zone), which is essentially the same zone.

Applicant's Request

The applicant proposes to move the lot line between the two properties north by approximately 30 feet, which would bisect the building. The intent is for the applicant to sell off the restaurant and parking lot as one. The size of the parcels will be as follows:

	Existing	Proposed
Parcel A:	11,500 ft ²	9,264 ft ²
Parcel B:	5,750 ft ²	7,986 ft ²

Analysis

Per §66412 of the Subdivision Map Act, a Certificate of Compliance is required when the two affected properties are owned by the same entity. A Lot Line Adjustment between two different owners may be accomplished through deed alone.

General Plan

Both the industrial use and the restaurant are consistent with the Industrial Land Use designation, which is defined as follows:

This designation provides for employment intensive uses, light manufacturing, business parks, research and development, technology centers, corporate and support office uses, "green" industry, recycling facilities, supporting retail uses, auto, truck and equipment sales and related services (i.e., auto service and repair), large format retail, storage facilities, warehousing and distribution, and other compatible uses.

Coastal Zone

This project is categorically excluded from Coastal Permit requirements as it is within a geographical area specifically exempted from a Coastal Development Permit by the Local Coastal Plan. In addition, no development is proposed as part of this project.

Subdivision Ordinance

Planning Commission review of a Certificate of Compliance is required pursuant to Subdivision Ordinance Section 17.12.040. The purpose of this review is to ensure that the parcels affected by an adjustment plat comply with the Subdivision Map Act and that the revised parcels do not violate provisions of the General Plan, any specific plan, zoning ordinance or building code. (Section 17.11.030(A)(7)).

Land Use Code

The property is located within the Medium Manufacturing (MM-CZ) zone, which allows for manufacturing uses and restaurants. Therefore, the existing and proposed use of the properties is consistent.

The minimum lot size in the MM-CZ zone is 5,000 square feet. Both parcels exceed, and would continue to exceed this minimum requirement (see table in "Applicant's Request" section above).

The minimum lot width in the MM-CZ zone is 50 feet. Both parcels exceed, and would continue to exceed this minimum requirement. The following table shows the existing and proposed frontages of Parcels A and B:

	<u>West 20th Street</u>		<u>Cleveland Avenue</u>	
	Existing	Proposed	Existing	Proposed
Parcel A:	115 ft.	115 ft.	50 ft.	80 ft.
Parcel B:	n/a	n/a	100 ft.	70 ft.

There is no required side yard setback in the MM-CZ zone between non-residential properties. The relocated property line bisects the building, thus creating a zero setback situation. This is admissible by the Land Use Code, provided that adequate fire separation is provided (see "Comments" section below).

No change in use is proposed, nor expansion of the use; therefore, no additional parking is required. However, the existing parking lot has historically served both the industrial and restaurant uses. Therefore, if the two uses are now to be on separate lots, it would be appropriate to have separate parking facilities. A Condition of Approval has been added to require that 1918 Cleveland Avenue (Parcel B) have its own parking spaces located on site. Industrial uses typically only require one space for every 800 square feet of floor area, plus service vehicle and guest parking. In this case, a 2,400 square-foot industrial use would require a minimum of five parking spaces. There is room on the property to stripe the required spaces.

The property at 1918 Cleveland Avenue is currently being used for boat storage. This use is not permitted in the MM-CZ zone. Therefore, a condition of approval has been added to address the use (No. 12). In addition boat building or repair would require a Conditional Use Permit. A condition (No. 11) is included to address this requirement.

California Environmental Quality Act (CEQA)

Staff has determined that the proposed use is categorically exempt from environmental review pursuant to Class 5, Section 15305 (Minor Alterations to Land Use Limitations) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Certificate of Compliance. The reason for the exemption is that the project only involves a lot line adjustment that will transfer a narrow portion of approximately 2,200 square feet from Parcel A bordering the north side of Parcel B, to Parcel B. The portion of Parcel A would continue to operate as a restaurant. Both parcels would continue to exceed the minimum lot size of 5,000 square feet for the MM-CZ zone.

Comments

Comments were received from the Building, Fire, and Engineering Departments. Both Building and Fire require compliance with applicable codes, including providing adequate fire separation between the two parts of the existing building (relocated property line bisects the building. This includes no penetration by utilities (e.g. plumbing, electrical) and adequate fire rating of the wall in between the two properties. The Engineering Department comments are related to Engineering requirements in the Municipal Code and also require separate sewer service (laterals) for each building, as they will now be on separate lots.

Because of the comments provided, it is appropriate to require conditions of approval to ensure compliance. As such this application is considered a Conditional Certificate of Compliance.

Summary

Staff has reviewed the adjustment plat, supporting legal descriptions, and title reports, and has approved the adjustment, provided that Building, Fire, and Engineering Department comments are addressed. The applicant is requesting approval of a Certificate of Compliance to allow for the recordation of an adjustment plat which would modify the boundary of both parcels by transferring the ownership of approximately 2,200 square feet from Parcel B to Parcel A. This adjustment will allow for the restaurant and parking lot to be sold separately.

OPTIONS

1. Approve 2016-25 CC subject to the conditions listed below, based on attached findings/ findings to be determined by the Planning Commission; or
2. Deny 2016-25 CC based on findings to be determined by the Planning Commission; or
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Overhead
2. Adjustment Plat (Exhibit "A")
3. Legal Descriptions
4. Site Plan (Exhibit "B")
5. Notice of Exemption



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL

Case File No. 2016-25 CC – 1918 Cleveland Avenue

1. The Lot Line Adjustment is consistent with the City's Subdivision Map Ordinance, State Subdivision Map Act, the General Plan, and all other City codes, because no new parcels will be created; no illegally created parcels will be included; no easements will be impaired or created, no substantial alterations to existing improvements will be required, both newly adjusted parcels meet minimum lot size, and no existing improvements will cross property lines, with the installation of adequate building and fire separation as required by Conditions of Approval.
2. The Lot Line Adjustment is not likely to cause serious public health problems, since all necessary public services are presently provided to the existing developments and/or will be provided as part of Conditions of Approval.
3. Recordation of the Adjustment Plat and Conditional Certificate of Compliance would not conflict with easements, acquired by the public at large, for access through or use of the property since no new easements or utilities are proposed.

RECOMMENDED CONDITIONS OF APPROVAL
Case File No. 2016-25 CC – 1918 Cleveland Avenue

General

1. The Conditional Certificate of Compliance authorizes the recordation of the adjustment plat to transfer the approximately 30 southerly feet of APN 559-096-03 (Parcel B) to APN 559-096-02 (Parcel A). Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibits A and B, Case File No. 2016-25 CC, dated October 26, 2016.
2. Before this *Conditional Certificate of Compliance* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Certificate of Compliance*. The applicant shall also submit evidence to the satisfaction of the City Manager or assign that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Certificate of Compliance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.

Building

4. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, and Mechanical Code.
5. Adequate separation between the buildings bisected by the proposed property line shall be provided (e.g. no penetrations, rated walls, no intersection of utilities, etc.).

Fire

6. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.

Planning

7. The final adjustment plat shall be recorded with the County Clerk and a recorded copy shall be provided to the Planning Department prior to issuance of any building permit for improvements on Parcels A and B.
8. The property located at 1918 Cleveland Avenue (Parcel B) shall provide striped parking spaces in accordance with §18.45 (Parking) of the Land Use Code. A striping plan shall be provided as part of building permit submittal. If part or all of the parking facilities or pedestrian access are proposed on a different property, a parking and access agreement shall be recorded on that property to allow use by Parcel B. Parking spaces shall be accessible at all times.
9. Both resultant properties shall provide for trash enclosures that meet City standards for fire resistance and stormwater protection (roof). Details shall be provided as part of building permit submittal.
10. All activities on the parcels located at 1918 and 1930 Cleveland Avenue shall comply with the Title 18 of the National City Municipal Code including allowable uses and activities to be conducted within an enclosed building, and shall obtain and/or maintain a City business license.
11. No boat building or repair activities are permitted without first obtaining a Conditional Use Permit.
12. No stand-alone boat storage is permitted.

Engineering

13. The final adjustment plat shall meet all of the requirements of the Subdivision Map Act and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information, and monumentation.
14. The developer shall bond for the monumentation through an agreement with the City Engineer prior to the recordation of the adjustment plat.
15. All new property line survey monuments shall be set on private property, unless otherwise approved by the City Engineer. All missing property corner monuments shall be reset.
16. The adjustment plat shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.

17.A separate sewer lateral shall be provided for each lot in accordance with National City Municipal Code Section 14.06.150.

2016-25 CC – 1918 Cleveland Avenue – Overhead



RECORDING REQUEST BY:

Paul Ralph
YYK Enterprises Inc.
1625 Cleveland Ave.
National City, CA 91950

EXHIBIT: A
CASE FILE NO.: 2016-25 CC
DATE: 10/26/2016

WHEN RECORDED MAIL THIS DEED TO:

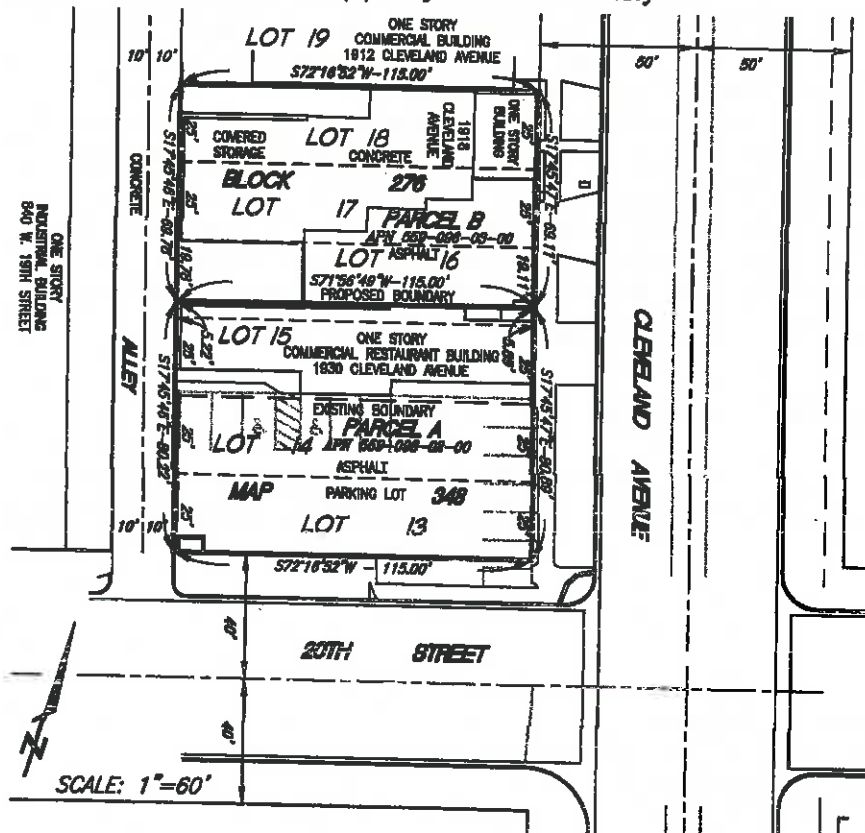
Paul Ralph
YYK Enterprises Inc.
1625 Cleveland Ave.
National City, CA 91950

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CERTIFICATE OF COMPLIANCE NO. _____

ADJUSTMENT PLAT NO. _____

() Unincorporated area (X) City of National City



PARCEL A
APN 559-096-02-00
Zoning: IM

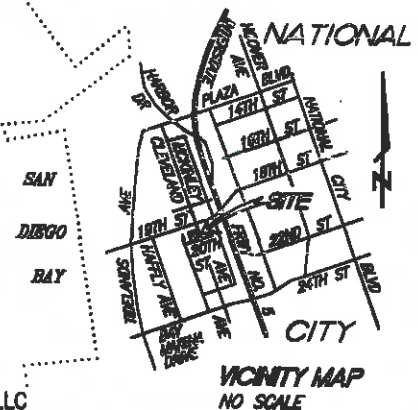
Net Area 9264 Sq. Ft.
(0.213 Acres)

EXISTING RESTAURANT W/
PARKING - NO CHANGES
PROPOSED

PARCEL B
APN 559-096-03-00
Zoning: IM

Net Area 7986 Sq. Ft.
(0.183 Acres)

EXISTING PRIVATE STORAGE -
NO CHANGES PROPOSED



PARCEL A

Owner: 1918 CLEVELAND AVENUE LLC
Address: 1625 CLEVELAND AVENUE
NATIONAL CITY, CA 91950

Phone No. 619-370-7444

Dated: 10/2/16

Signature: PAUL RALPH

Approvals:

Planning Dept.

By: _____

Date: _____

Engineering Dept.

By: _____

Date: _____

PARCEL B

Owner: 1918 CLEVELAND AVENUE LLC
Address: 1625 CLEVELAND AVENUE
NATIONAL CITY, CA 91950

Phone No. 619-370-7444

Dated: 10/2/16

Signature: PAUL RALPH

Map Prepared By: Steven M. Howell

Address: 9760 Mesa Springs Way #33
San Diego, CA 92126

Phone No.: 858-821-8050

L.S. No.: 5758 Exp. 08-30-2018

Signature: Steven M. Howell



EXHIBIT "A"

CERTIFICATE OF COMPLIANCE NO. _____

LEGAL DESCRIPTION

PARCEL 'A'

LOTS 13, 14, 15 AND A PORTION OF LOT 16 IN BLOCK 276 OF NATIONAL CITY, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 348, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 2, 1882 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 13; THENCE ALONG THE WESTERLY LINE OF SAID LOTS 13, 14 AND 15, NORTH $17^{\circ}45'46''$ WEST, A DISTANCE OF 75.00 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 15; THENCE CONTINUING NORTH $17^{\circ}45'46''$ WEST ALONG THE WESTERLY LINE OF SAID LOT 16, A DISTANCE OF 5.22 FEET; THENCE LEAVING SAID WESTERLY LINE, NORTH $71^{\circ}56'49''$ EAST, A DISTANCE OF 115.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 16; THENCE SOUTH $17^{\circ}45'47''$ EAST, ALONG THE EASTERLY LINE OF SAID LOT 16, A DISTANCE OF 5.89 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 16; THENCE CONTINUING SOUTH $17^{\circ}45'47''$ EAST, ALONG THE EASTERLY LINE OF SAID LOTS 13, 14 AND 15, A DISTANCE OF 75.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 13; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 13, SOUTH $72^{\circ}16'52''$ WEST, A DISTANCE OF 115.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 9,264 SQUARE FEET (0.213 ACRES), MORE OR LESS.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

SIGNATURE: _____

STEVEN M. HOWELL, PLS 5758

LICENSE EXPIRES 6/30/18

DATE: August 25, 2016



EXHIBIT "A"

CERTIFICATE OF COMPLIANCE NO. _____

LEGAL DESCRIPTION

PARCEL 'B'

LOTS 17, 18 AND A PORTION OF LOT 16 IN BLOCK 276 OF NATIONAL CITY, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 348, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 2, 1882 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 16; THENCE ALONG THE WESTERLY LINE OF SAID LOT 16, NORTH $17^{\circ}45'46''$ WEST, A DISTANCE OF 5.22 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING NORTH $17^{\circ}45'46''$ WEST, ALONG THE WESTERLY LINE OF SAID LOTS 16, 17 AND 18, A DISTANCE OF 69.78 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 18; THENCE LEAVING SAID WESTERLY LINE ALONG THE NORTHERLY LINE OF SAID LOT 18, NORTH $72^{\circ}16'52''$ EAST, A DISTANCE OF 115.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 18; THENCE SOUTH $17^{\circ}45'47''$ EAST, ALONG THE EASTERLY LINE OF SAID LOTS 16, 17 AND 18, A DISTANCE OF 69.11 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 16, BEING 5.89 FEET NORTHERLY OF THE NORTHEASTERLY CORNER OF SAID LOT 16; THENCE LEAVING SAID EASTERLY LINE, SOUTH $71^{\circ}56'49''$ WEST, A DISTANCE OF 115.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 7,986 SQUARE FEET (0.183 ACRES), MORE OR LESS.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

SIGNATURE: _____

St. M. Howell
STEVEN M. HOWELL, PLS 5758
LICENSE EXPIRES 6/30/18
DATE: August 25, 2016







NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2016-25 CC

Project Location: 1918-30 Cleveland Avenue, National City, CA 91950

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

The Certificate of Compliance request involves a lot line adjustment that will transfer a narrow portion of approximately 2,200 square feet from Parcel A bordering the north side of Parcel B, to Parcel B. Both parcels would continue to exceed minimum lot size of 5,000 square feet for the MM-CZ zone.

Applicant:

1918 Cleveland Avenue, LLC
c/o: Paul Ralph
1625 Cleveland Avenue
National City, CA 91950

Telephone Number:

(619) 370-7444

Exempt Status:

☒ **Categorical Exemption – Section 15315 (Minor Land Divisions)**

Reasons why project is exempt:

This project consists of a minor lot line adjustment that does not result in any changes to land use or density.

Date:

MARTIN REEDER, AICP
Principal Planner

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY

LECTURE NOTES

BY

PROFESSOR

JOHN H. VAN VORN

CHICAGO, ILLINOIS

1954

RESOLUTION 2016-19

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL CERTIFICATE OF COMPLIANCE
FOR A LOT LINE ADJUSTMENT AT PROPERTY
LOCATED AT 1918-1930 CLEVELAND AVENUE.
APPLICANT: 1918 CLEVELAND AVENUE
CASE FILE NO. 2016-25 CC**

WHEREAS, application was made for approval of a Conditional Certificate of Compliance for a Lot Line Adjustment at property located at 1918-1930 Cleveland Avenue on property generally described as:

Lots 13 through 18, inclusive, Block 276 of National City in the City of National City, County of San Diego, State of California, according to Map thereof No. 348, filed in the Office of the County Recorder of San Diego County, October 2, 1882.

WHEREAS, the Planning Commission of the City of National City considered the Conditional Certificate of Compliance at a duly advertised public hearing held on December 5, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-25 CC, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the Planning Commission has analyzed the project pursuant to the California Environmental Quality Act (CEQA), and determined that the activity in question is exempt from CEQA under 14 Cal. Code Regs. Section 15315 (Minor Land Divisions); and

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at public hearing held on December 5, 2016, support the following findings:

1. The Lot Line Adjustment is consistent with the City's Subdivision Map Ordinance, State Subdivision Map Act, the General Plan, and all other City codes, because no new parcels will be created; no illegally created parcels will be included; no easements will be impaired or created, no substantial alterations to existing improvements will be required, both newly adjusted parcels meet minimum lot size, and no existing improvements will cross property lines, with the installation of adequate fire separation as required by Conditions of Approval.
2. The Lot Line Adjustment is not likely to cause serious public health problems, since all necessary public services are presently provided to the existing developments and/or will be provided as part of Conditions of Approval.
3. Recordation of the Adjustment Plat and Conditional Certificate of Compliance would not conflict with easements, acquired by the public at large, for access through or use of the property since no new easements or utilities are proposed.

BE IT FURTHER RESOLVED that the application for the Conditional Certificate of Compliance is approved subject to the following conditions:

General

1. The Conditional Certificate of Compliance authorizes the recordation of the adjustment plat to transfer the approximately 30 southerly feet of APN 559-096-03 (Parcel B) to APN 559-096-02 (Parcel A). Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibits A and B, Case File No. 2016-25 CC, dated October 26, 2016.
2. Before this *Conditional Certificate of Compliance* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Certificate of Compliance*. The applicant shall also submit evidence to the satisfaction of the City Manager or assign that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that

conditions imposed by approval of the *Conditional Certificate of Compliance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.

Building

4. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, and Mechanical Code.
5. Adequate separation between the buildings bisected by the proposed property line shall be provided (e.g. no penetrations, rated walls, no intersection of utilities, etc.).

Fire

6. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.

Planning

7. The final adjustment plat shall be recorded with the County Clerk and a recorded copy shall be provided to the Planning Department prior to issuance of any building permit for improvements on Parcels A and B.
8. The property located at 1918 Cleveland Avenue (Parcel B) shall provide striped parking spaces in accordance with §18.45 (Parking) of the Land Use Code. A striping plan shall be provided as part of building permit submittal. If part or all of the parking facilities or pedestrian access are proposed on a different property, a parking and access agreement shall be recorded on that property to allow use by Parcel B. Parking spaces shall be accessible at all times.
9. Both resultant properties shall provide for trash enclosures that meet City standards for fire resistance and stormwater protection (roof). Details shall be provided as part of building permit submittal.
10. All activities on the parcels located at 1918 and 1930 Cleveland Avenue shall comply with the Title 18 of the National City Municipal Code including allowable uses and activities to be conducted within an enclosed building, and shall obtain and/or maintain a City business license.

11. No boat building or repair activities are permitted without first obtaining a Conditional Use Permit.

12. No stand-alone boat storage is permitted.

Engineering

13. The final adjustment plat shall meet all of the requirements of the Subdivision Map Act and the City of National City Municipal Codes including certification, acknowledgement, complete boundary information, and monumentation.

14. The developer shall bond for the monumentation through an agreement with the City Engineer prior to the recordation of the adjustment plat.

15. All new property line survey monuments shall be set on private property, unless otherwise approved by the City Engineer. All missing property corner monuments shall be reset.

16. The adjustment plat shall use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearings in terms of the system. The angle of grid divergence from a true meridian and the north point shall appear on the map. Two measured ties from the boundary of the property to existing horizontal control stations shall be shown.

17. A separate sewer lateral shall be provided for each lot in accordance with National City Municipal Code Section 14.06.150.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant.

BE IT FURTHER RESOLVED that this resolution shall become effective and final upon adoption, unless appealed pursuant to Section 18.12 of the Municipal Code of the City of National City.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 5, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON





CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: TIME EXTENSION REQUEST - TENTATIVE PARCEL MAP FOR THE DIVISION OF ONE 27,888 SQUARE-FOOT LOT INTO TWO LOTS, WITH AN EXCEPTION FOR LESS THAN REQUIRED STREET FRONTAGE, AT 1305 HARBISON AVENUE.

Case File No.: 2016-33 TE (2014-20 LS)

Staff report by: Martin Reeder, AICP

Applicant: Victor Rodriguez

Zoning designation: Medium-Low Density Multi-Family Residential (RS-3)

Parcel size: 0.64 acres

Recommendation: Extend for one year

BACKGROUND

The applicant received Planning Commission for a two-lot split for the subject property on November 17, 2016. Since that time, the applicant has been working towards obtaining their Final Map. The Final Map is currently with the Engineering Department and is ready to record. However, the expiration date of the Tentative Parcel Map was November 17, 2016. The applicant requested an extension in order to finish the process.

Site characteristics

The approximately 27,888 square foot property is located on the east side of Harbison Avenue approximately 350 feet south of Plaza Boulevard in the RS-2 Zone. There is a large flat area in the center of the rear portion of the lot. There is an existing 1,500 square-foot single family residence on the west side of the property.

History

In November of 2014, the Planning Commission approved a Tentative Parcel Map for the division of the property into two lots, with individual access to Harbison Avenue from both lots:

- Parcel 1 will have approximately 91 feet of frontage on Harbison Avenue and would include the existing residence. It will be 100 feet deep and would have a net size of 8,902 square feet. No changes are proposed to the existing home.
- Parcel 2 would have 32 feet of frontage on Harbison Avenue with the foremost roughly 32 feet by 90 feet being occupied by a driveway accessing the rear of the property. Parcel 2 would have a gross area of 18,986 square feet. After a 6-foot by 140-foot utility easement at the rear of the lot and the front access portion of the lot is taken into account, there would be a net buildable area of approximately 16,256 square feet. The applicant is not proposing any development at this time; only minor grading is proposed (100 cubic yards cut/fill) as part of possible future development.

The Tentative Parcel Map was approved for two years and would have expired on November 17, 2016 at 6 p.m. The applicant filed an extension request on the same day prior to the time of expiration. The Subdivision Ordinance allows applicants to request up to three time extensions for a total of 36 months. No specific time of extension was requested; however, staff recommends a one year extension. The final map has already been submitted to and reviewed by the Engineering Department. The map is ready to record and be assigned a new Assessor's Parcel Number; however, the process is on hold until the extension is granted.

RECOMMENDATION

Extend the expiration of Tentative Parcel Map 2014-20 LS by one year to November 17, 2017.

ATTACHMENTS

Planning Commission Resolution 23-2014



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RESOLUTION 23-2014

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A TENTATIVE PARCEL MAP FOR THE DIVISION OF
ONE 27,888 SQUARE-FOOT LOT INTO TWO LOTS, WITH AN EXCEPTION FOR
LESS THAN 50 FEET OF STREET FRONTAGE, AT 1305 HARBISON AVENUE.
CASE FILE NO. 2014-20 LS
APN: 558-170-05**

WHEREAS, application was made for approval of a tentative parcel map for the division of one 27,888 square foot lot at 1305 Harbison Avenue into two lots with an exception for less than 50 feet of street frontage on property generally described as:

All of Lot 8 of Rancho Hills Unit 1 in the City of National City, County of San Diego, State of California, according to Map thereof No. 2366, filed in the Office of the County Recorder of San Diego County, November 8, 1946, excepting therefrom that portion lying northerly of the following described line: Commencing at the northeast corner of said Lot 8, thence along the easterly line of said Lot 8, south 18°38' 30" east 60.00 feet to the true point of beginning; thence parallel with the northerly line of said Lot 8 south 18°58'30" east 18.60 feet; thence south 71°46'15" west 86.12 feet to the westerly line of said Lot 8.

WHEREAS, the Planning Commission of the City of National City, California, considered said applications at a duly advertised public hearing held on November 17, 2014, at which time the Planning Commission considered oral and documentary evidence; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2014-20 LS, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 17, 2014 support the following findings:

**FINDINGS FOR APPROVAL
OF THE TENTATIVE PARCEL MAP**

1. The proposed map is consistent with the National City General Plan and applicable specific plans, since the proposed single-family subdivision, at a density of 3.1 units per acre, is consistent with the uses and density (8.7 units per acre) allowed in the Small Lot Residential (RS-2) zone, and since there are no specific plans applicable to the site.
2. The site is physically suitable for the proposed type of development, since an additional single-family home can be located on a level building pad on the site with a minor amount of grading.
3. The site is physically suitable for the proposed density of development, since both resultant lots can accommodate a single family residence with suitable yard areas.
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, since no natural habitat nor bodies of water are present on-site, and since the site is surrounded by urban development.
5. The design of the subdivision and the proposed/required improvements are not likely to cause serious public health problems, since all necessary public services will be provided.
6. The design of the subdivision and the proposed/required improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, since no such easements are located on the site.
7. The discharge of sewerage waste from the subdivision into the City of National City sewer system will not result in violation of existing requirements prescribed by the California Regional Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code, as specified by Government Code Section 66474.6.
8. The subdivision has been considered by the Planning Commission with regard to its effect on the housing needs of the region, and these needs are balanced by the public service needs of the residents and available fiscal and environmental resources.
9. The design of the subdivision provides, to the extent feasible, for future passive and natural heating and cooling opportunities in the subdivision, based on consideration of local climate, topography, property configuration and other design and improvement requirements without requiring reduction in allowable density or lot coverage.

**FINDINGS FOR APPROVAL OF THE EXCEPTION
FOR LESS THAN REQUIRED STREET FRONTAGE**

1. The property to be divided is of such size or shape, or is affected by such topographic conditions that it is impossible or impracticable in the particular case to conform fully to the subdivision requirements, since most of the deep (210 feet) property is isolated from public streets by site topography and existing development.
2. The exception will not be detrimental to the public health, safety, or welfare, or be detrimental to the use of other properties in the vicinity, since adequate access to the street (a minimum of 32 feet in width) will be provided for both lots, and since the General Plan encourages the creation of home ownership opportunities, which the requested exception facilitates.
3. Granting of the exception is in accordance with the intent and purposes of this title, and is consistent with the General Plan and with all applicable specific plans or other plans of the City, since the proposal will create an additional homeownership opportunity, and since there are no applicable specific plans.

BE IT FURTHER RESOLVED that the application for the Tentative Parcel Map is approved subject to the following conditions:

General

1. This *Tentative Parcel Map* authorizes the creation of two new parcels from one existing parcel. Except as required by Conditions of Approval, all plans submitted for permits associated with the project shall conform with Exhibit A, case file no. 2014-20 LS, dated 10/29/2014.
2. Before this *Tentative Parcel Map* shall become effective, the applicant and/or property owner shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Tentative Parcel Map*. The applicant shall also submit evidence to the satisfaction of the Executive Director that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Tentative Parcel Map* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
3. Approval of the tentative map expires two (2) years after adoption of the resolution of approval at 6:00 p.m. unless prior to that date a request for a time extension not exceeding three (3) years has been filed as provided by National City Municipal Code §17.04.070.

Building

4. Plans submitted for construction shall comply with the 2010 editions of the California Building, Electrical, Mechanical, Plumbing, Energy, Fire, Residential and Green Codes.

Engineering

5. A Final Map shall be filed and recorded in accordance with City requirements. The map shall show all existing and proposed easements.

Fire

6. Plans submitted for construction shall be in compliance with the current editions of the CRC, the 2010 editions of the NFPA and CFC, title 19 and local City of National City Municipal Codes.
7. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75,000 pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28-foot turning radius is required for fire department access through site.
8. Fire department access roads shall meet the requirements of the California Fire Code 2013 Edition Chapter 5 and Appendix D. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds.
9. Roads or alleys 20 to 26 feet in wide shall be posted on both sides as fire lanes.
10. Fire Sprinklers will be required for any residential development on the new lot.

Sweetwater Authority

11. New water service shall be provided and shall include a backflow prevention assembly.
12. A ten-foot horizontal separation between sewer and water laterals is required.

SDG&E

13. Prior to any grading, digging, trenching, or any other ground disturbing activities, the developer shall notify DigALert (811 or www.digalert.org).
14. The existing gas service to the property must remain on the proposed Parcel 1. If not the gas service will not be allowed without an easement.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant.

BE IT FURTHER RESOLVED that this resolution shall become effective and final upon adoption, unless appealed pursuant to Section 17.04.050 of the Subdivision Ordinance of the City of National City

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 17, 2014, by the following vote:

AYES: Garcia, Baca, Bush, Pruitt, Alvarado, Flores, Dela Paz

NAYS: None

ABSENT: None

ABSTAIN: None


CHAIRPERSON

RESOLUTION NO. 2016-14

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
DENYING A CONDITIONAL USE PERMIT FOR WHOLESALE AUTOMOBILE SALES,
ACCESSORY AUTO REPAIR, DETAIL, AND OUTDOOR STORAGE
LOCATED AT 2000 ROOSEVELT AVENUE.
CASE FILE NO.: 2016-10 CUP
APN: 590-392-11

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for wholesale automobile sales, accessory auto repair, detail, and outdoor storage at Perry Ford located at 2000 Roosevelt Avenue at a duly advertised public hearing held on November 7, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-10 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 7, 2016, support the following findings:

1. The proposed use is inconsistent with the General Plan and the Westside Specific Plan, because the proposed accessory automobile repair, storage, and detail uses are inconsistent with uses established in Appendix "A" of the Westside Specific Plan for properties located in the Limited Commercial (CL) zone.
2. The operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity, because the accessory automobile repair, storage, and detail uses are incompatible with adjacent

residential development. Furthermore, the City's amortization program within the Westside Specific Plan Area is focused on amortizing businesses whose primary activities are the same as the accessory uses proposed in this case.

3. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the automobile repair, storage, and detail uses would not contribute to the improvement of environmental health conditions for residents in the area, which is encouraged by Guiding Principal No. 2 of the Vision and Guiding Principles section of Chapter 1 of the Westside Specific Plan.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 5, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: ADOPTION OF 2017 PLANNING COMMISSION MEETING DATES

PROPOSED SCHEDULE

The dates listed below are proposed for regularly scheduled Planning Commission meetings.

January 23	July 17
February 6	August 7, 21
March 6, 20	September 18
April 3, 17	October 2, 16
May 1, 15	November 6, 20
June 5	December 4, 18

Planning Commission meetings are typically held on the first and third Mondays of each month. There will be no meeting on the first Monday of January 2017 due to the necessary time required for noticing for that date (1/2/17); the City returns to work on January 4, 2017 from a two-week furlough.

There will be no meeting on the third Monday of January 2017 due to the Martin Luther King Jr. Holiday (January 16, 2017) on the same day. In order to hold a meeting in January, staff is suggesting January 23, 2017. February has one meeting (February 6, 2017) because of President's Day (February 20, 2016) falling on the third Monday in February.

Due to the expected City Council legislative recess in July it would make sense to dispatch with the second meeting in June and first meeting in July as action taken by the Commission on either of those dates would not be in front of City Council until August anyway. September has only one meeting date because of Labor Day (September 4, 2017).

If needed, additional meetings can be scheduled as caseload demands or meetings canceled if no agenda items are scheduled.

RECOMMENDATION

It is recommended that the Planning Commission adopt the proposed 2017 schedule.

BRAD RAULSTON
Deputy City Manager



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: ELECTION OF OFFICERS FOR 2017

This is the appropriate meeting to elect new Planning Commission officers for the upcoming year 2017, to succeed Chairman Baca, and Vice-Chairman Garcia. It is suggested that nominations and elections occur as in previous years.

